

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-002001-002 DT

05/30/2013

HON. KAREN L. O'CONNOR

CLERK OF THE COURT
C. Smith
Deputy

STATE OF ARIZONA

LIZ BARRICK

v.

DAVID ALLEN LEARY (002)

DAVID V TELLES

PRETRIAL SERVICES AGENCY-CCC
VICTIM WITNESS DIV-AG-CCC

COMPLEX CASE MANAGEMENT CONFERENCE

9:24 a.m.

Courtroom SCT 5D

| | |
|-----------------------|---------------------------------------|
| State's Attorney: | Liz Barrick |
| Defendant's Attorney: | Blake Mayes on behalf of David Telles |
| Defendant: | Present |

Court Reporter, Lori Fraley, is present.

A record of the proceeding is also made by audio and/or videotape.

Court and counsel discuss pretrial matters.

IT IS ORDERED setting this matter for firm trial on November 20, 2013 at 10:30 a.m. in this division.

IT IS ORDERED setting Final Trial Management Conference on November 5, 2013 at 8:30 a.m. in this division.

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IT IS ORDERED setting next Complex Case Management Conference on August 5, 2013 at 8:30 a.m. in this division.

JOINT CASE MANAGEMENT REPORTS:

No less than two working days before each Case Management Conference, the parties shall file a Joint Case Management Report. This report will inform the court of:

1. The specific progress made since the last Case Management Conference in completing activities previously established by the court and the parties;
2. Specific case preparation to be completed before the next Case Management Conference;
3. Witnesses who have been interviewed in the preceding month;
4. Witnesses who will be interviewed in the upcoming month;
5. Pending issues to be resolved.

MOTIONS IN LIMINE

Any motions in limine shall be filed by no later than October 3, 2013 and such motions must meet the test of *State v. Superior Court*, 108 Ariz. 396, 397, 499 P.2d 152 (1972): "The primary purpose of a motion in limine is to avoid disclosing to the jury prejudicial matters which may compel a mistrial." See also, Ariz. Rules of Evidence, Rule 103(c). A written response to a motion in limine may be filed no later than ten (10) days thereafter. The Court will rule on the motions in limine without oral argument. If the Court wishes to hear argument; the argument will be heard at the morning of Trial Management Conference.

PRETRIAL MOTIONS

All pretrial motions must be filed in writing by no later than October 3, 2013. All motions must comply with Rule 35.1 including setting forth a sufficient factual basis for the motion. Failure to file a sufficient motion may result in the motion being denied without evidentiary hearing. See: *Rule 16.1[c] Rule 16.2[b]*; *State v. Anaya* 170 Ariz. 436, 443 (1992); *State v. Wilson* 164 Ariz. 406, 407 (1990) and *State v. Alvarado* 121 Ariz. 485 (1979).

IT IS ORDERED all interviews shall be completed by no later than September 27, 2013.

IT IS FURTHER ORDERED all experts shall be disclosed by no later than September 5, 2013.

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IT IS FURTHER ORDERED a Joint Pretrial Statement shall be filed by no later than November 1, 2013.

LAST DAY REMAINS: January 17, 2014.

IT IS FURTHER ORDERED affirming prior release orders.

9:36 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine their mandatory participation in eFiling through AZTurboCourt.